

1 MICHAEL J. BETTINGER (State Bar No. 122196)
2 RACHEL R. DAVIDSON (State Bar No. 215517)
3 PRESTON GATES & ELLIS LLP
4 55 Second Street, Suite 1700
5 San Francisco, CA 94105
6 Phone: (415) 882-8200
7 Fax: (415) 882-8220
8 mikeb@prestongates.com

9
10 DAVID T. McDONALD (*PRO HAC VICE*)
11 KRISTIN J. BORAAS (*PRO HAC VICE*)
12 PRESTON GATES & ELLIS, LLP
13 925 4th Avenue, Suite 2900
14 Seattle, WA 98104-1158
15 Phone: (206) 623-7580
16 Fax: (206) 623-7022
17 davidm@prestongates.com

18 Attorneys for Defendant
19 MICROSOFT CORPORATION

20 GEORGE FROST (State Bar No. 178528)
21 LAW OFFICES OF GEORGE FROST
22 2930 Magnolia Street
23 Berkeley, CA 94705
24 Phone: (510) 666-0141
25 Fax: (415) 247-6001

26 Attorneys for Plaintiff
27 CAD SYSTEMS UNLIMITED, INC.

28
16 UNITED STATES DISTRICT COURT
17
18 NORTHERN DISTRICT OF CALIFORNIA
19
20 SAN FRANCISCO DIVISION

21 CAD SYSTEMS UNLIMITED, INC., a
22 California corporation,

23 Plaintiff,

24 vs.

25 MICROSFT CORPORATION, a
26 Washington corporation,

27 Defendants.

28 Case No. C 06-0927 JSW

**[PROPOSED] ORDER OF
DISMISSAL, WITH PREJUDICE,
PURSUANT TO STIPULATION**

27 ///

28 ///

29 ///

WHEREAS the parties have reached an agreement settling the above-entitled action,
IT IS HEREBY STIPULATED AND AGREED by and between the parties to this
action, through their respective counsel, as follows:

1. This action shall be DISMISSED, with prejudice.
2. Each party shall bear its own fees and costs.

DATED: September 22, 2006

/s/
Michael J. Bettinger
Attorneys for Defendant
MICROSOFT CORPORATION

DATED: September 22, 2006

/s/
George Frost
Attorneys for Plaintiff
CAD SYSTEMS UNLIMITED, INC.

PURSUANT TO STIPULATION OF THE PARTIES, THE ABOVE ENTITLED ACTION IS DISMISSED, WITH PREJUDICE. EACH PARTY SHALL BEAR ITS OWN FEES AND COSTS.

IT IS SO ORDERED.

DATED: September, 2006
January 30, 2007

Jeffrey S. White
U.S. District Court Judge